3

Filed

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH
AT BILASPUR
W.P. NO. 490/2005

PETITIONER : Dr. R. L. Pandey
S/o Late Shri S. D. Pandey,
Aged about 53 years,
Presently working as
Chief Municipal Officer,
Municipal Council, Sakti,
R/o CMO Quarter, Sakti
District: Janjgir-Champa (CG).

494/05
P.R. No.....
Presented by Shri S. Verma
dated 07.02.05

Versus

RRESPONDENTS : 1) State of Chhattisgarh
Through the Secretary,
Urban Administration &
Development Department,
D.K.S. Bhawan, Raipur
(CG).

2) Shri Ashok Bahri,
Presently working as
Chief Municipal Officer,
Nagar Panchayat,
Takhatpur
District-Bilaspur (CG).

7.2.05
Copy to A. G. Bilaspur

WRIT PETITION UNDER ARTICLE 226 / 227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..W.P.No.4.9.0/05 **सन् 200**

43

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

13.6.2006:-

Shri P. Diwakar, Sr. Advocate with Shri Kunal Das, Advocate for the petitioner.

Shri Sushil Dubey, Govt. Advocate for the State.

Heard both the counsel.

The grievance of the petitioner in this petition is that he was appointed as Chief Municipal Officer, Class-C on 30-5-77. Even after completion of 12 years service and in spite of good service record the petitioner has not been promoted to the next higher grade i.e. Class-B. After completion of 24 years service he has not been promoted to class-A. The petitioner has completed 27 years of service. First Kramonnati became due after completion of 12 years service and second after completion of 24 years of service. Even respondent No.2 is the junior to the petitioner and he has been given Kramonnati.

Learned counsel for the petitioner argued that as per the orders dated 17th March 1999 and 25-4-2000 passed by the Urban Administration and Development Department of the erstwhile State of M.P. the employees after completion of 12 years of service, if they are continuing with the same pay scale, they will be promoted to the higher pay scale and after completion of 24 years service, they will be entitled to further higher scale. When the petitioner was not granted ~~even~~ 2 scale even after completion of 12 and 24 years of service, the petitioner made representations before the erstwhile State of M.P. as well as State of Chhattisgarh as mentioned in para-5.6 of the petition (Annexure-P/1 to P/4), but nothing has been done so far. He further argued that the above-mentioned orders passed by the erstwhile State of M.P. are applicable in the State of Chhattisgarh also. He further argued that in the

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

44

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

circumstances, respondent No.1 be directed to decide representation made by the petitioner and consider the case of the petitioner for grant of higher scale as per the aforementioned Government orders i.e. first higher scale after completion of 12 years service and next higher scale after completion of 24 years of service to which learned counsel for respondent/State has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, as the petitioner has made representations regarding grant of higher pay scale in compliance of the Government Orders dated 17th March 1999 and 25-4-2000 as mentioned in para-5.6 of the petition, the petitioner is allowed to give fresh copies of those representations to the respondent No.1 within 15 days and in turn respondent No.1 to decide representation within a period of 3 months from today.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P. No.404/2005 and I.A. No.1012/2005 &787/2006 also stand disposed of

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Barve